

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN POTTS,

Petitioner,

v.

DANNY SAMUEL,

Respondent.

Case No. 1:20-cv-01236-JLT-HBK (HC)

ORDER SEALING DOCUMENTS AS SET  
FORTH IN GOVERNMENT'S NOTICE

(Doc. No. 73)

Before the Court is Respondent's Notice of its Request to Seal the 18-page reporter's transcript of a confidential hearing held on January 27, 2022. (Doc. No. 73). Petitioner Kevin Potts, a state prisoner proceeding *pro se*, has pending a First Amended Petition for writ of habeas corpus under 28 U.S.C. § 2254. (Doc. No. 19).

Pursuant to Local Rule 141(b), Respondent requests to file under seal the 18-page reporter's transcript of a confidential hearing held on January 27, 2022. Respondent notes the trial court informed Petitioner that the proceedings would be confidential and requests the Court maintain the seal "because of concerns attendant with maintaining the confidentiality of Petitioner's trial-level representation." (Doc. No. 73). Respondent advises the reporter's transcript will be served on Petitioner, and that Respondent does not object to filing the documents unsealed if Petitioner prefers. (*Id.* at 2).

The Court finds that, for the reasons stated in Respondent's Notice and its Request,

1 sealing the 18-page reporter's transcript serves a compelling interest. *See Kamakana v. City and*  
2 *County of Honolulu*, 447 F. 3d 1172, 1179-1180 (9th Cir. 2006); *Foltz v. State Farm Mut. Auto.*  
3 *Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

4 Accordingly, it is **ORDERED**:

5 The Court GRANTS Respondent's Request incorporated in its Notice (Doc. No. 73) and  
6 directs Respondent to provide an electronic copy of the document to be sealed to the Clerk of  
7 Court, at which time the Clerk of Court will file the documents under seal. *See* Local Rule  
8 141(e)(2)(i).

9  
10 Dated: December 6, 2022

  
11 HELENA M. BARCH-KUCHTA  
12 UNITED STATES MAGISTRATE JUDGE

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28